

REMARKS

As a preliminary matter, independent claims 1 and 22 have been amended to correct for an inadvertent error introduced in a previous amendment to the claims. Applicants submit that no new matter has been added, and that the claims have not been narrowed, by these amendments.

As a second preliminary matter, Applicants respectfully request that the outstanding Office Action (Paper No. 22) be vacated as unresponsive. The Examiner is obligated to answer all of the material which was traversed by Applicants under Section 707.07(f) of the MPEP. The Examiner has not done so in the present case. As such, the continued rejection of the present invention is improper, and the outstanding Office Action should be vacated.

Additionally, and contrary to the Examiner's assertion on Page 4 of Paper No. 22, the outstanding Section 103 rejection is by no means a new ground for rejection with respect to the Yudasaka reference. Only Yudasaka has ever been (and continues to be) cited by the Examiner for teaching the implantation of hydrogen features of the present invention. The Examiner, however, has never asserted that Yudasaka teaches to prevent hydrogen implantation in the channel region. Section 2143.03 of the MPEP requires that, for rejections based on obviousness, all claim features must be taught or suggested by the prior art. Because the Examiner has never made any showing for where in the Yudasaka reference, or any other prior art, may be found implantation of hydrogen, but not in the channel region, a *prima facie* case of obviousness has not been made against the present invention.

Applicants made specific arguments in Amendments A, C, and D discussing how Yudasaka fails to prevent the implantation of hydrogen in the channel region, as featured in the present invention. The Examiner has never rebutted any of these arguments, in spite of the fact that Applicants have specifically requested such documentary support for the continued rejection in the face of such arguments (in both Amendments C and D). None of these arguments against the Yudasaka reference are moot, as asserted by the Examiner in Paper No. 22, because Yudasaka still continues to be the only basis cited by the Examiner for teaching any implantation of hydrogen. As such, it is the Examiner's responsibility to rebut Applicants' many meritorious arguments against this reference, or withdraw the rejection. Because the Examiner has failed to once rebut any of these meritorious arguments from three separate Amendments, the outstanding rejection must be withdrawn.

It is not enough to establish a *prima facie* case of obviousness against the present invention by merely picking and choosing a few incomplete elements and features of the present invention, and then showing where such may be suggested by the prior art. The Examiner instead is required to first establish the existence of all elements and features of the present invention in the prior art. Such has not been done in the present case.

Applicants have now repeatedly demonstrated how Yudasaka is completely silent regarding the problem of hydrogen implantation in the channel region, and have also demonstrated how Yudasaka even suggests that hydrogen is specifically implanted into the channel region. These meritorious arguments from Amendments A, C, and D are again incorporated by reference herein. The Examiner may not properly avoid answering these

arguments merely by asserting that new references show *other*, unrelated features of the present invention. The Examiner is still required to cite the existence of all of the features of the present invention to maintain a case of obviousness. Because the Examiner has not done so, and after repeated requests for such support from Applicants, the outstanding rejection must be withdrawn.

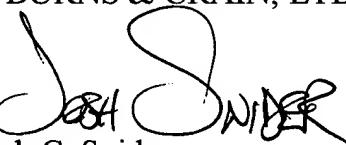
New claims 23-29 have been added to recite other combinations of features of the present invention. Consideration, entry, and allowance of these new claims are respectfully requested.

For all the foregoing reasons, Applicants submit that this Application, including claims 1-6 and 22-29, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



Josh C. Snider
Registration No. 47,954

Customer No. 24978

April 4, 2003

300 S. Wacker Drive
Suite 2500
Chicago, Illinois 60606-6501
Telephone: (312) 360-0080
Facsimile: (312) 360-9315

K:\1612\63479\AMD-E.doc